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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,534	07/19/2006	Takashi Nomura	029267.58056US	1621
23911 7590 11/04/2011 CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			EXAMINER ZHAO, YU	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b><i>Applicant-Initiated Interview Summary</i></b>	<b>Application No.</b> 10/586,534		<b>Applicant(s)</b> NOMURA, TAKASHI	
	<b>Examiner</b> YU ZHAO		<b>Art Unit</b> 2169	

All participants (applicant, applicant's representative, PTO personnel):

- (1) YU ZHAO (Examiner). (3) Sue Walts (Reg. No.: 60,831).  
 (2) Mahmoudi, Tony (SPE). (4) \_\_\_\_\_.

Date of Interview: 02 November 2011.

Type: ☐ Telephonic ☐ Video Conference  
☒ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.  
 If Yes, brief description: \_\_\_\_\_.

Issues Discussed ☐ 101 ☒ 112 ☐ 102 ☒ 103 ☐ Others  
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1, 3 and 7-9.

Identification of prior art discussed: Cheng et al. (U.S. Patent No.: 5,204,958) and Lomet (U.S. Patent No.: 4,611,272).

#### Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc....)

See Continuation Sheet.

**Applicant recodation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview.

**Examiner recodation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recodation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recodation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Tony Mahmoudi/  
 Supervisory Patent Examiner, Art Unit 2169

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135 (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant representative explained the present invention to the examiners where in the navigation system, initial search data is stored in the first database and update search data is stored in the second database. Initial search data has tree index, where update search data has non-tree index. If a restaurant has been moved, the new information will be sent to the second database. When user search a place (e.g. USPTO), the navigation system searches both databases and will display only the new address in the update search data.

Note: Applicant representation said, initial search data is stored in the first database, and update search data is stored in the second database. However, in the claim language, it only recited there are initial search data and update search data. It does not recite two databases. Under the broadest reasonable interpretation, both initial search data and update search data can be stored in one database or two separate databases. Applicant may want to clarify the claim language.

35 USC 112 Rejection has been discussed. Examiners will withdrawal the 112 rejection.

Examiners and applicant representative further discussed the allowability of the claims. If Claims 8 and 9 can be added into independent Claim 3, then Claim 3 is allowable. The current independent claims are missing after searching the initial search data and update search data, the navigation system determines to display new data in update search data to the user.

Further, applicant representative and examiners also discussed 35 USC 103 rejections. Applicant representative and examiners discussed prior arts Cheng et al. (U.S. Patent No.: 5,204,958) and Lomet (U.S. Patent No.: 4,611,272).

Applicant representative explained that in the instant invention, the initial search data has tree index and update search data has non-tree index. The motivation of having non-tree index is because update search data only has few records, it is not worth the trouble to build a tree index. Searching from first row to the last row in the update search database is faster and more efficient.

Lomet discloses such motivation and method. Lomet discloses if there are only few records, it will do sequential search (non-tree index). If there are many records, it will build a binary tree index and then search the records (Lomet: column 13, lines 17-34, "...For this reason, all bookkeeping required by the method is fully separate from the storage being managed so that it can be kept in main memory...If these lists are very short, a sequential search should be adequate. Should the lists be somewhat longer, a binary digital tree (trie) can be used to locate the buddy...").

Lomet discloses storing a list of records of free blocks (e.g. each record is a row in the list, each row contains the information of free block, such as size and location of the block which are fields of the record). Under the broadest reasonable interpretation, each update search data is broadly interpreted as the "record" in free list, where "list" shows the data structure is non-tree structure.

Examiners agreed to withdrawal the 112 rejection. And, if claim 8 and claim 9 are added into Independent claim 3, claim 3 is allowable.